

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Day et al.
Appl. No.: 10/555,725
Conf. No.: 9932
Filed: November 7, 2005
Title: VISUALLY ATTRACTIVE, FRESHLY PREPARED EXTRUDED FAT-BASED CONFECTIONERY PRODUCT WITH TEMPORARY FLEXIBILITY HAVING ENHANCED MELT-IN-THE-MOUTH PROPERTIES, METHOD AND APPARATUS OF DISPENSING THE SAME
Art Unit: 1761
Examiner: Unknown
Docket No.: 112701-678

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Sir:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited on the enclosed PTO-1449 form be made during the course of examination of the above-identified application for United States patent. Pursuant to 37 C.F.R. 1.98, copies of any cited foreign patent documents and non-patent documents are enclosed.

This Information Disclosure Statement is submitted:

- [X] Within three months of filing of a national application; within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a Request for Continued Examination.
- [] After the period specified above, but before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application and is accompanied by one of:
 - [] Payment of the fee set forth in 37 CFR 1.17(p); or
 - [] The certification specified in 37 CFR 1.97(e) follows.
- [] After the mailing the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution

in the application and is accompanied by the fee set forth in 37 CFR 1.17(p) and the certification specified in 37 CFR 1.97(e) follows.

- [] The undersigned counsel for applicant(s) hereby certifies each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- [] The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- [X] A copy of a Search Report from a corresponding foreign patent application is enclosed.
- [] A check in the amount of \$180 to cover the required fee is enclosed.
- [] The Commissioner is hereby authorized to charge the amount of \$180 to cover the required fee to Deposit Account No. 02-1818.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY


Robert M. Barrett
Reg. No. 30,142
Customer No. 29157

Dated: November 3, 2006